

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

July 27, 2004

PROCEDURAL ORDER

VERIZON NEW ENGLAND, INC. D/B/A
VERIZON MAINE
Request for Commission Investigation for
Resold Services (PUC#21) and Unbundled
Network Elements (PUC#20)

Docket No. 2002-682

VERIZON NEW ENGLAND, INC. D/B/A
VERIZON MAINE
Request for Arbitration of an Amendment to the
Interconnection Agreement Between Verizon
Maine and CLEC's in the State and CMRS
Providers

Docket No. 2004-135

Examiner's Note: Because of the very short turnaround time for comments imposed in this Procedural Order, only an electronic version of the P.O. was sent to the parties on service list. No paper copies of this document were mailed.

On the July 15, 2004, a Procedural Order was issued in these cases. The P.O. established a schedule that called for the exchange of issues lists between the parties by July 30, 2004, and negotiations on August 19 and 20, 2004. The Order also indicated that any requests for extension of the schedule must be filed at least a week in advance of the deadline for which the deadline is requested. The Examiner did this in order to prevent further delays and keep the process for resolving the cases moving forward.

On July 27, 2004, AT&T filed a request for a one-month extension of the deadline for filing issues lists and for negotiations. AT&T seeks the extension because it alleges 1) the 10-business day interval between the receipt of Verizon's revised position and the date for the filing of the issues lists is inadequate, and 2) the FCC is expected to issue interim rules within the next two weeks, and it would be a waste of resources to seek to resolve disputes that may well be rendered moot by the interim rules. AT&T indicates that Verizon has no objection to its request.

The desire of the Commission is to keep this dual-captioned proceeding moving toward a resolution as expeditiously as possible. The Examiner recognized that the schedule established in the July 15 Procedural Order was rather tight, but that prior delays and inactivity made it necessary to impose a fairly strict timetable and deviate from it only for significant reasons.

From a strictly procedural viewpoint, AT&T's request could be summarily rejected because it did not meet the one-week advance timing guideline established in the Procedural Order. However, because AT&T's request is apparently based on legitimate concerns, we will not dismiss it on strictly procedural grounds. Before we will rule on the extension request, we will allow other parties to the cases to have a chance to respond. Because the extension request is for a deadline that is only days away, we will require parties that wish to comment on the extension request to file those comments by the close of business on Wednesday, July 28, 2004.

Parties should file their comments electronically with the Commission and provide electronic copies to all parties on the service list.

Dated at Augusta, Maine, this 27th day of July, 2004.

BY ORDER OF THE HEARING EXAMINER

Trina M. Bragdon